

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

John Doe

v.

Civil No. 18-cv-690-JD

Trustees of Dartmouth College

O R D E R

The plaintiff, who is currently proceeding under a pseudonym, sought leave to proceed anonymously in this case and to seal certain documents that would reveal his identity. The court denied his motions on November 2, 2018, but stayed the effect of that order for thirty days to give the plaintiff time to decide whether he would proceed under his own name or dismiss the case. In response, the plaintiff filed a motion for reconsideration in which he asks the court to grant him leave to refile his case at a later time after his criminal records have been annulled and to allow him to proceed anonymously in that case.¹ The Trustees of Dartmouth College ("Dartmouth") object.

In essence, the plaintiff moves for leave to voluntarily dismiss his case without prejudice, but he also asks that he be granted leave to proceed anonymously in a later case. Fed. R. Civ. P. 41(a)(2). At this stage, the plaintiff can voluntarily

¹ Although the motion for reconsideration is dated June 27, 2018, it was filed on November 9, 2018.

dismiss his claims without prejudice. The court, however, cannot grant the plaintiff leave to proceed anonymously in a future case. That determination would have to be made in that case, if and when it is filed.

Conclusion

For the foregoing reasons, the plaintiff's motion for reconsideration (document no. 23) is granted in part and denied in part.

The plaintiff's request to voluntarily dismiss this case without prejudice is granted.

The plaintiff's request to proceed anonymously in a different case, which might be filed at a later time, is denied.

In light of the plaintiff's decision to voluntarily dismiss the case because he will not be permitted to proceed anonymously, the order issued on November 2 is reconsidered to the extent that the financial application that the plaintiff filed to proceed in forma pauperis, which is referenced in document number 6; the affidavit referenced in document no. 8; the plaintiff's motion for appointment of counsel, document no. 9; and the plaintiff's motion to obtain an ECF login and password, document no. 11 shall all remain under seal at Level II.

The case is dismissed without prejudice.

The clerk of court shall enter judgment accordingly and close the case.

SO ORDERED.



Joseph A. DiClerico, Jr.
United States District Judge

November 29, 2018

cc: John Doe, pro se
Christopher Pierce McGown, Esq.